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United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 31, 2008

BY FAX

Honorable Harold Baer, Jr.
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

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HAROLD BAER
U.S. DISTRICT JUDGE
S.D.N.Y.

Re: United States v. Manokhin & Derevianko
07 Cr. 815 (HB)

Dear Judge Baer:

The Government writes to respectfully request that time be excluded, pursuant to 18 U.S.C. § 3161(h)(3)(A), from Friday, February 1, 2008, through Monday, April 7, 2008, in the interests of justice pursuant to the Speedy Trial Act. Time was previously excluded until January 14, 2008, for the parties to file and argue motions and for plea discussions. A trial date has been set for April 7, 2008.

The Government and defense counsel for both defendants are currently engaging in plea negotiations. Accordingly, such an exclusion will enable the defendants to continue to have discussions with the Government regarding a possible disposition of this case without trial. In the event that there is no such resolution, such an exclusion will allow the defendants to prepare for trial. Accordingly, excluding time will best serve the ends of justice and outweigh the best interests of the public and the defendant in a speedy trial.

I have left phone messages for counsel for both defendants regarding this request.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

MF/IL

Michael Farbiarz/Iris Lan
Assistant United States Attorneys
(212) 637-1587/2263

cc:

Joel Dranove, Esq. (Manokhin; by fax)
Robert Soloway, Esq. (Derevianko; by fax)

*We need adjourn to the
PTC date of 2/7/08 at
945 + discuss any and all
open matters at that time!*

SO ORDERED:

Harold Baer, Jr.
Harold Baer, Jr., U.S.D.J.

Date: *2/5/08*